

The Honorable Robert J. Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UGOCHUKWU GOODLUCK
NWAUZOR, FERNANDO AGUIRRE-
URBINA, individually and on behalf of all
those similarly situated,

Plaintiffs,

v.

THE GEO GROUP, INC., a Florida
corporation,

Defendant.

No. 17-cv-05769-RJB

DECLARATION OF JAMAL N.
WHITEHEAD IN SUPPORT OF
PLAINTIFFS' MOTIONS IN
LIMINE

I, JAMAL N. WHITEHEAD, declare as follows:

1. I am over the age of eighteen, competent to testify in this matter, and do so based on personal knowledge.

2. Before filing this motion, I conferred with GEO's counsel by telephone on March 9 and 11, 2020. We discussed the parties' proposed motions in limine in an effort to resolve any disputes. The parties agreed on several issues, and expect to submit a stipulation containing those agreements this same day or soon after. One such stipulation is an agreement between the parties that neither Plaintiffs nor members of the class shall be referred to as "illegals."

3. Mr. Aguirre-Urbina's criminal history is as follows:

Disposition Date	Description	Type	Sentence
05/31/2012	Delivery of controlled substance, methamphetamine	Felony Conviction	12 months + 1 day
05/31/2012	Possession with intent to deliver, methamphetamine	Felony Conviction	12 months + 1 day
05/31/2012	Possession with intent to deliver, marijuana	Felony Conviction	6 months
01/25/2011	Theft 3	Bail Forfeiture	None
06/30/2010	Obstruction	Misdemeanor Conviction	365 days, 365 days suspended
12/01/2009	Malicious Mischief	Misdemeanor Conviction	90 days, with 90 days suspended
03/17/2009	Possession of marijuana	Misdemeanor Conviction	90 days, with 89 days suspended
03/17/2009	False Statements	Misdemeanor Conviction	90 days, with 89 days suspended

4. On March 11, 2020, counsel for GEO suggested that to the extent it was permitted to inquire about Mr. Aguirre-Urbina's mental state, that any such examination would occur outside the presence of the jury.

5. Attached as **Exhibit A** is a true and correct copy of an excerpt from the Deposition of Ugochukwu Goodluck Nwauzor on June 19, 2018.

6. GEO has identified over a dozen witnesses from various Washington agencies and all but a few of its proposed exhibits relate to Washington correctional facilities and programs, including proposed exhibits A-14-A-104, A-111-A-114, A-119-A-217, A-224A-227, A-230, and A-232A-233.

1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 DATED at Seattle, Washington this 12th day of March, 2020.

4 s/ Jamal N. Whitehead
5 JAMAL N. WHITEHEAD
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CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED at Seattle, Washington this 12th day of March, 2020.

s/ Virginia Mendoza
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